

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

**RODI MARINE, LLC, and
BOAT SERVICES OF GALVESTON, INC.**

CIVIL ACTION NO:

VERSUS

DISTRICT JUDGE

LIGHTHOUSE MARINE, LLC

MAGISTRATE JUDGE

COMPLAINT FOR DAMAGES

Plaintiffs, Rodi Marine, LLC and Boat Services of Galveston, Inc. bring this suit against Lighthouse Marine, LLC and jointly aver as follows:

1.

This is an admiralty and maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure. The court has jurisdiction over this matter pursuant to 28 U.S.C. § 1333.

2.

The M/V MS MONICA is and was an offshore supply vessel, owned at all relevant times by Boat Services of Galveston, Inc. and chartered to Rodi Marine, LLC. This suit arises out of the loss of the M/V MS MONICA through the fault of Lighthouse Marine, LLC.

3.

This Court has personal jurisdiction over Lighthouse Marine, LLC inasmuch as Lighthouse Marine, LLC (“Lighthouse”) is a Texas limited liability company domiciled in and maintaining its principal place of business in this judicial district, and because the loss of the M/V MS MONICA occurred wholly in this judicial district.

4.

Subject matter jurisdiction exists because the claims asserted in this lawsuit arise out of the damage to and/or loss of the M/V MS MONICA, a vessel in navigation, and because the damage to the M/V MS MONICA arose out of, and involves a claim for, *inter alia*, the breach of a maritime contract for vessel repairs.

5.

On or about October 22, 2022, the M/V MS MONICA was berthed at Lighthouse's shipyard in Galveston undergoing repairs. At all relevant times, the M/V MS MONICA was being worked on by, and at the direction of, Lighthouse and its personnel.

6.

Near the M/V MS MONICA in a berth provided by Lighthouse was a sailboat, the S/V NINO, which sailboat was, upon information and belief, also at Lighthouse for the purpose of undergoing repairs. At all times, the S/V NINO was, like the M/V MS. MONICA, in the care custody and control of Lighthouse.

7.

At some point during the evening of October 22, 2022, the sailboat S/V NINO caught fire. The sailboat then listed onto the M/V MS MONICA, causing the M/V MS MONICA to in turn catch fire the effect of which was to cause profound damage to the M/V MS MONICA, rendering her a total loss.

8.

The fault of Lighthouse includes, without limitation, (a) placing the S/V NINO too close to the M/V MS MONICA; (b) inadequate supervision of the work being performed on the sailboat; (c) inadequate attention to and supervision of the vessels under its bailment; (d) inadequate fire

watch and fire response; (e) inadequate workmanship; and (f) other fault that will be proven at trial.

9.

Lighthouse was the bailee of the M/V MS MONICA at all relevant times.

10.

Lighthouse's conduct was a breach of the terms of the contract between plaintiff, Rodi Marine, LLC and Lighthouse, including but not limited to the implied warranty of workmanship present in all maritime contracts for repair of vessels.

11.

The loss of the M/V MS MONICA has occasioned damages to plaintiffs as their interests may appear, including but not limited to (a) lost charter hire; (b) lost revenue; (c) damages for the repair cost of the M/V MS MONICA and/or the value of the M/V MS MONICA; and (e) clean-up costs; along with interest and costs.

WHEREFORE, plaintiffs jointly pray that there be judgment in their favor over and against defendant, Lighthouse Marine, LLC for the damages sustained by them, including but not limited to, damages to the M/V MS MONICA, along with lost charter hire and revenue, repair costs, and other damages as set for therein and above in Paragraph 11, together with pre-judgment interest and costs as well as such other equitable relief that this court sitting in admiralty deems just and proper.

DATED: November 22, 2022

Respectfully submitted:

BOHMAN | MORSE, LLC

/s/Harry E. Morse

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